HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No. 18464 of 2007

Between:

The Cloth Merchants Association,
Kanigiri Village, Kanigiri Mandal,
Prakasam District, rep. by its Secretary,
P. Venakta Narasimha Rao

... Petitioner

And

The Executive Engineer,
Roads and Buildings,
Kanigiri, Prakasam District & others

... Respondents

:: O R D E R ::

Counsel for the petitioner : Ms. K. Pallavi for
Smt. A. Varalakshmi

Counsel for respondent Nos. 1 and 2 : Government Pleader for
Roads and Buildings

Counsel for respondent No.3 : Shri M. Prabhakar Rao

August 31, 2007

Per G.S. SINGHVI, CJ

In this petition, the petitioner has prayed for restraining the respondents from demolishing the property bearing H.No. 1-8-195/1 situated at Prakasam Road of Kanigiri Town and Mandal.

In the pre-lunch session, the case was passed over to enable the learned Government Pleader to get in touch with respondent No.1

and seek instructions. In the post-lunch session, the learned Government Pleader made a statement that the proposal made by g r a m panchayat for road widening had been received by the department, but so far no action has been taken in that direction. He further gave out that the property of the petitioner will not be demolished without following the procedure prescribed by law.

In view of the statement made by the learned Government Pleader, the writ petition is disposed of as infructuous with liberty to the petitioner to file fresh petition or avail appropriate legal remedy as and when any such contingency arises.

As a sequel to disposal of the writ petition as infructuous, W.P.M.P. No. 23696 of 2007 filed by the petitioner for interim relief is dismissed.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

August 31, 2007
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